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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/675,413      | 09/30/2003  | Jeyhan Karaoguz      | 14537US02           | 6187             |

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EXAMINER

NGUYEN, BRIAN D

ART UNIT PAPER NUMBER

2661

DATE MAILED: 08/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 10/675,413             | KARAOGUZ ET AL.     |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Brian D. Nguyen        | 2661                |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Note: The terms: “capable of” and “adapted to” are not positively recited limitations.

Therefore, the limitations followed these terms are not considered the claimed limitations. If the applicant would like to claim the limitations; it is suggested that the applicant delete these terms from the claims.

### ***Specification***

2. The applicant is requested to fill in the blanks in page 2 of the specification. In page 11, line 5, it is suggested to change “104” to --101b--.

### ***Drawings***

3. The drawings are objected to because the line connecting elements 101 and 101b of figure 1B is missing. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet”

Art Unit: 2661

or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

4. Claims 20 and 23-25 are objected to because of the following informalities:

Claim. 20, line 2, it is suggested to change “the wide ~~are~~ network” to --the wide **area** network--.

Claim 23, line 6, it is suggested to change “a native service location” to --~~the~~ native service location--.

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 20 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 20, line 3, “the network” is unclear if the applicant is referring to “a network” mentioned in line 2 of claim 1 or “a wide area network” mentioned in line 3 of claim 19.

### ***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2661

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-3, 5-17, and 19-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Pepe et al (5,742,905).

Regarding claim 1, Pepe discloses a system for providing remote access, comprising: a plurality of communication devices (see communication devices, for example, 30, 32, 34, 46, 44, 48, 22, 24, 26, 20 in figure 3) operatively coupled to a network, the plurality of communication devices comprising a native communication device (see, for example, home location register in col. 2, lines 10-13); a media device (32, 34, 30 of figure 3) operatively coupled to the native communication device and the network, the media device being associated with the native communication device and the network, the media device being capable of exchanging media content with the plurality of communication devices and the network, and a profile (customer profile) of the media device stored in at least one of the media device and the native communication device, the profile comprising information related to managing the media content when the media device is roaming (see col. 2, lines 7-30 and col. 22, lines 9-14).

Regarding claims 2-3, Pepe discloses the profile comprises one or more roaming parameters, the roaming parameters being used to control an operation of the media device and to route information uploaded or downloaded by the media device when the media device is roaming (see col. 3, lines 40-42 and col. 6, lines 20-27).

Regarding claims 5-7, Pepe discloses the native communication device comprises a media device interface (see figure 3 where, for example, media device 34 interface with other communication devices in the network through communication lines (interfaces)).

Regarding claim 8, Pepe discloses the profile comprises a communication device identity (see subscriber identifier in col. 15, lines 23-27).

Regarding claims 9-10, Pepe discloses the profile comprises routing information and a default destination to which data can be transferred (see, for example, col. 20, line 60-col. 21, line 5).

Regarding claim 11, Pepe discloses updating the profile from the media device (see abstract and col. 4, lines 38-41).

Regarding claim 12, Pepe discloses roaming comprises at least one of inter-network roaming and inter-network roaming (see, for example, inter-network in the title and roaming in col. 2, line 30).

Regarding claims 13-14, Pepe discloses authentication (see authentication in col. 7, line 9).

Regarding claims 15 and 19-20, Pepe discloses the network provides a plurality of service locations, and wherein, when the media device is roaming, any service location of the network can provide the media device with access to information accessible to the media device when the media device is not roaming (see home location and visiting location in col. 2, lines 9-30).

Regarding claims 16-17, Pepe discloses wireless access point (see wireless access point 39 in figure 3).

Regarding claims 21-22, Pepe discloses a first database (home location register) comprising information related to media devices in at least one of the network and the wide area network; and a second database (visitor location register) comprising information related to

Art Unit: 2661

media devices currently serviced by at least one of a particular service location or a particular network, wherein the first database and the second database are used to determine a location of the media device (see col. 2, lines 1-30).

Regarding claims 23-25, Pepe discloses a method for providing remote access, comprising: operatively coupling, by a media device (wireless devices 30, 32, and 34 of figure 3) to a non-native service location (visiting location); providing access to the media device, at the non-native service location, to information available at a native service location (home location); and routing information associated with the media device in accordance with a profile of the media device, the profile being stored in at least one of a native service location or the media device; wherein operatively coupling to a non-native service location comprises operatively coupling to a non-native communication device (a device at a visiting location) or a non-native access point (an access point for wireless device at visiting location); and further comprising: determining a location of the media device (see col. 2, lines 7-30 and col. 22, lines 9-14).

Regarding claim 26-27, Pepe discloses a method for providing remote access, comprising: receiving a request to transfer data to or from a device that is roaming; authenticating the received request; and routing the data based on a device profile of the device; wherein routing the data comprises routing the data based on routing details of the device profile of the device (see col. 2, lines 7-30; col. 7, lines 4-15; col. 22, lines 4-14).

Regarding claims 28-29, Pepe discloses routing the data to a default location if no routing details are in the device profile of the device or if the device cannot be located (see col. 20, line 60-col. 21, line 5).

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pepe.

Regarding claim 4, Pepe does not specifically disclose the profile comprising control information indicating that downloaded information is stored in the native communication device when the media device is roaming. However, Pepe discloses the use of “specific media delivery option” in which a mobile subscriber can specify where information is delivered to (see col. 6, lines 34-51; col. 14, line 66-col. 15, line 14). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the media delivery option as taught by Pepe to delivery downloaded information to the native communication device and stored the information at the native device so that the media device can access the downloaded information at a specified location when needed.

11. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pepe in view of Alba (2004/0132403).

Regarding claim 18, Pepe does not specifically disclose the wireless access point comprises a wireless fidelity (WI-FI) access point. However, WI-FI access point is well known in the art. Alba discloses the use of WI-FI (see paragraph 0001). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a



Art Unit: 2661

WI-FI access point as taught by Alba in the system of Pepe in order to allow WI-FI devices to use the network.

***Conclusion***

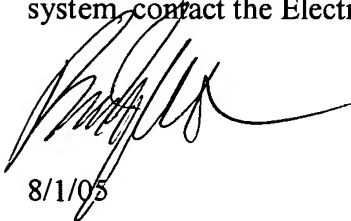
12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bridges et al (6,546,246), French-St George (6,463,131), and Adamany et al (6,615,041).

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian D. Nguyen whose telephone number is (571) 272-3084. The examiner can normally be reached on 7:30-6:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (571) 272-3126. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



8/1/05

**BRIAN NGUYEN**  
**PRIMARY EXAMINER**